

AMENDMENT IN THE NATURE OF A SUBSTITUTE
TO H.R. 798
OFFERED BY MR. GORDON (FOR HIMSELF AND
MR. BOEHLERT)

Strike all after the enacting clause and insert the following:

1 SECTION 1. SHORT TITLE.

2 This Act may be cited as the “Methamphetamine Re-
3 mediation Research Act of 2005”.

4 SEC. 2. FINDINGS.

5 The Congress finds the following:

6 (1) Methamphetamine use and production is
7 growing rapidly throughout the United States.

8 (2) Some materials and chemical residues re-
9 maining from the production of methamphetamine
10 pose novel environmental problems in locations
11 where methamphetamine laboratories have been
12 closed.

13 (3) There has been little standardization of
14 measures for determining when the site of a former
15 methamphetamine laboratory has been successfully
16 remediated.



1 (4) Initial cleanup actions are generally limited
2 to removal of hazardous substances and contami-
3 nated materials that pose an immediate threat to
4 public health or the environment. It is not uncom-
5 mon for significant levels of contamination to be
6 found throughout residential structures where meth-
7 amphetamine has been manufactured, partially be-
8 cause of a lack of knowledge of how to achieve an
9 effective cleanup.

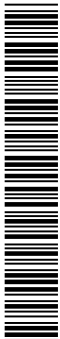
10 (5) Data on methamphetamine laboratory-re-
11 lated contaminants of concern are very limited, and
12 uniform cleanup standards do not currently exist. In
13 addition, procedures for sampling and analysis of
14 contaminants need to be researched and developed.

15 (6) Many States are struggling with estab-
16 lishing assessment and remediation guidelines and
17 programs to address the rapidly expanding number
18 of methamphetamine laboratories being closed each
19 year.

20 **SEC. 3. VOLUNTARY GUIDELINES.**

21 (a) ESTABLISHMENT OF VOLUNTARY GUIDELINES.—

22 Not later than one year after the date of enactment of
23 this Act, the Assistant Administrator for Research and
24 Development of the Environmental Protection Agency (in
25 this Act referred to as the “Assistant Administrator”), in



1 consultation with the National Institute of Standards and
2 Technology, shall establish voluntary guidelines, based on
3 the best currently available scientific knowledge, for the
4 remediation of former methamphetamine laboratories, in-
5 cluding guidelines regarding preliminary site assessment
6 and the remediation of residual contaminants.

7 (b) CONSIDERATIONS.—In developing the voluntary
8 guidelines under subsection (a), the Assistant Adminis-
9 trator shall consider, at a minimum—

10 (1) relevant standards, guidelines, and require-
11 ments found in Federal, State, and local laws and
12 regulations;

13 (2) the varying types and locations of former
14 methamphetamine laboratories; and

15 (3) the expected cost of carrying out any pro-
16 posed guidelines.

17 (c) STATES.—The voluntary guidelines should be de-
18 signed to assist State and local governments in the devel-
19 opment and the implementation of legislation and other
20 policies to apply state-of-the-art knowledge and research
21 results to the remediation of former methamphetamine
22 laboratories. The Assistant Administrator shall work with
23 State and local governments and other relevant non-Fed-
24 eral agencies and organizations, including through the



1 conference described in section 5, to promote and encour-
2 age the appropriate adoption of the voluntary guidelines.

3 (d) UPDATING THE GUIDELINES.—The Assistant
4 Administrator shall periodically update the voluntary
5 guidelines as the Assistant Administrator, in consultation
6 with States and other interested parties, determines to be
7 necessary and appropriate to incorporate research findings
8 and other new knowledge.

9 **SEC. 4. RESEARCH PROGRAM.**

10 The Assistant Administrator shall establish a pro-
11 gram of research to support the development and revision
12 of the voluntary guidelines described in section 3. Such
13 research shall—

14 (1) identify methamphetamine laboratory-re-
15 lated chemicals of concern;

16 (2) assess the types and levels of exposure to
17 chemicals of concern identified under paragraph (1),
18 including routine and accidental exposures, that may
19 present a significant risk of adverse biological ef-
20 fects;

21 (3) identify the research efforts necessary to
22 better address biological effects and to minimize ad-
23 verse human exposures;



1 (4) evaluate the performance of various meth-
2 amphetamine laboratory cleanup and remediation
3 techniques; and

4 (5) support other research priorities identified
5 by the Assistant Administrator in consultation with
6 States and other interested parties.

7 **SEC. 5. TECHNOLOGY TRANSFER CONFERENCE.**

8 (a) CONFERENCE.—Not later than 90 days after the
9 date of enactment of this Act, and at least every third
10 year thereafter, the Assistant Administrator shall convene
11 a conference of appropriate State agencies, as well as indi-
12 viduals or organizations involved in research and other ac-
13 tivities directly related to the environmental, or biological
14 impacts of former methamphetamine laboratories. The
15 conference should be a forum for the Assistant Adminis-
16 trator to provide information on the guidelines developed
17 under section 3 and on the latest findings from the re-
18 search program described in section 4, and for the non-
19 Federal participants to provide information on the prob-
20 lems and needs of States and localities and their experi-
21 ence with guidelines developed under section 3.

22 (b) REPORT.—Not later than 3 months after each
23 conference, the Assistant Administrator shall submit a re-
24 port to the Congress that summarizes the proceedings of
25 the conference, including a summary of any recommenda-



1 tions or concerns raised by the non-Federal participants
2 and how the Assistant Administrator intends to respond
3 to them. The report shall also be made widely available
4 to the general public.

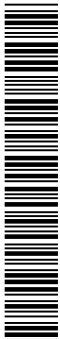
5 **SEC. 6. RESIDUAL EFFECTS STUDY.**

6 (a) STUDY.—Not later than 6 months after the date
7 of enactment of this Act, the Assistant Administrator shall
8 enter into an arrangement with the National Academy of
9 Sciences for a study of the status and quality of research
10 on the residual effects of methamphetamine laboratories.
11 The study shall identify research gaps and recommend an
12 agenda for the research program described in section 4.
13 The study shall pay particular attention to the need for
14 research on the impacts of methamphetamine laboratories
15 on—

16 (1) the residents of buildings where such lab-
17 oratories are, or were, located, with particular em-
18 phasis given to biological impacts on children; and

19 (2) first responders.

20 (b) REPORT.—Not later than 3 months after the
21 completion of the study, the Assistant Administrator shall
22 transmit to Congress a report on how the Assistant Ad-
23 ministrator will use the results of the study to carry out
24 the activities described in sections 3 and 4.



1 **SEC. 7. METHAMPHETAMINE DETECTION RESEARCH AND**
2 **DEVELOPMENT PROGRAM.**

3 The Director of National Institute of Standards and
4 Technology, in consultation with the Assistant Adminis-
5 trator, shall support a research program to develop—

6 (1) new methamphetamine detection tech-
7 nologies, with emphasis on field test kits and site de-
8 tection; and

9 (2) appropriate standard reference materials
10 and validation procedures for methamphetamine de-
11 tection testing.

12 **SEC. 8. SAVINGS CLAUSE.**

13 Nothing in this Act shall be construed to add to or
14 limit the regulatory authority of the Environmental Pro-
15 tection Agency.

16 **SEC. 9. AUTHORIZATION OF APPROPRIATIONS.**

17 (a) ENVIRONMENTAL PROTECTION AGENCY.—There
18 are authorized to be appropriated to the Environmental
19 Protection Agency to carry out this Act \$3,000,000 for
20 each of the fiscal years 2006 through 2009.

21 (b) NATIONAL INSTITUTE OF STANDARDS AND
22 TECHNOLOGY.—There are authorized to be appropriated
23 to the National Institute of Standards and Technology to
24 carry out this Act \$1,500,000 for each of the fiscal years
25 2006 through 2009.

